

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

CHRISTIN DISLER,)	
)	
Plaintiff)	
)	
v.)	No. 3:04-cv-191
)	
TARGET CORPORATION and)	
TARGET STORES,)	
)	
Defendants)	
)	

ORDER

For the reasons set forth in the Memorandum Opinion this day passed to the Clerk for filing, it is hereby ORDERED as follows:

- (1) Plaintiff's motion for sanctions for spoliation of evidence [Doc. 42] is hereby GRANTED only to the extent that the court will utilize an appropriate "missing evidence" instruction in its charge to the jury;
- (2) Plaintiff's motion for partial summary judgment [Doc. 47] is hereby DENIED AS MOOT; and
- (3) Defendant's motion for summary judgment [Doc. 48] is hereby GRANTED IN PART and DENIED IN PART whereby summary judgment will be entered in favor of defendant with respect to all causes of action brought by plaintiff except for her claim pursuant to the Fair Labor

Standards Act, which claim shall be submitted to the jury at the trial of this case beginning on September 26, 2005. See Fed.R.Civ.P. 56.

ENTER :

s/ James H. Jarvis
UNITED STATES DISTRICT JUDGE